

DISTRICT OF COLUMBIA STATEHOOD CONSTITUTIONAL CONVENTION

- - -

Saturday, March 27, 1982

Washington, D.C.

The plenary session of the Convention was convened at 1:00 p.m. in the Convention Hall, 10th and E Streets, N.W., Washington, D.C., Mr. Charles I. Cassell, Chairman, presiding.

P R O C E E D I N G S

DELEGATE BALDWIN: There will be no smoking in the convention hall. Will the Constitutional Convention please come to order?

We will observe meditation.

Roll call by the Secretary.

DELEGATE COOPER: Delegate Baldwin.

DELEGATE BALDWIN: Here.

DELEGATE COOPER: Delegate Barnes.

DELEGATE BARNES: Present.

DELEGATE COOPER: Delegate Blount.

DELEGATE BLOUNT: Present.

DELEGATE COOPER: Delegate Bruning.

DELEGATE BRUNING: Here.

DELEGATE COOPER: Delegate Cassell.

(No response.)

DELEGATE COOPER: Delegate Clark.

(No response.)

DELEGATE COOPER: Delegate Coates.

DELEGATE COATES: Here.

DELEGATE COOPER: Delegate Cooper; here.
Delegate Corn.

DELEGATE CORN: Corn is here.

DELEGATE COOPER: Delegate Croft.

(No response.)

DELEGATE COOPER: Delegate Croft.

(No response.)

DELEGATE COOPER: Delegate Eichhorn.

DELEGATE EICHHORN: Here.

DELEGATE COOPER: Delegate Feely.

DELEGATE FEELY: Present.

DELEGATE COOPER: Delegate Freeman.

(No response.)

DELEGATE COOPER: Delegate Garner.

DELEGATE GARNER: Here.

DELEGATE COOPER: Delegate Graham.

(No response.)

DELEGATE COOPER: Delegate Harris.

(No response.)

DELEGATE COOPER: Delegate Holmes.

(No response.)

DELEGATE COOPER: Delegate Jackson.

(No response.)

DELEGATE COOPER: Delegate Johnson.

(No response.)

DELEGATE COOPER: Delegate Jones.

(No response.)

DELEGATE COOPER: Delegate Jordan.

DELEGATE JORDAN: Here.

DELEGATE COOPER: Delegate Kameny.

DELEGATE KAMENY: Here.

DELEGATE COOPER: Delegate Lockridge.

DELEGATE LOCKRIDGE: Here.

DELEGATE COOPER: Delegate Long.

(No response.)

DELEGATE COOPER: Delegate Love.

(No response.)

DELEGATE COOPER: Delegate Maguire.

DELEGATE MAGUIRE: Here; good afternoon.

DELEGATE COOPER: Delegate Charles Mason.

DELEGATE CHARLES MASON: Here.

DELEGATE COOPER: Delegate Hilda Mason.

DELEGATE HILDA MASON: Here.

DELEGATE COOPER: Delegate Brian Moore.

DELEGATE BRIAN MOORE: Present.

DELEGATE COOPER: Delegate Jerry Moore.

(No response.)

DELEGATE COOPER: Delegate Talmadge Moore.

(No response.)

DELEGATE COOPER: Delegate Nihikian.

(No response.)

DELEGATE COOPER: Delegate Nixon.

DELEGATE NIXON: Here.

DELEGATE COOPER: Delegate Oulahan.

(No response.)

DELEGATE COOPER: Delegate Paramore.

DELEGATE PARAMORE: Present.

DELEGATE COOPER: Delegate Robinson.

(No response.)

DELEGATE COOPER: Delegate Rothschild.

(No response.)

DELEGATE COOPER: Delegate Schrag.

DELEGATE SCHRAG: Here.

DELEGATE COOPER: Delegate Shelton.

(No response.)

DELEGATE COOPER: Delegate Simmons.

DELEGATE SIMMONS: Present.

DELEGATE COOPER: Delegate Street.

(No response.)

DELEGATE COOPER: Delegate Terrell.

DELEGATE TERRELL: Here.

DELEGATE COOPER: Delegate Thomas.

(No response.)

DELEGATE COOPER: Delegate Warren.

(No response.)

DELEGATE COOPER: Delegate Cassell.

(No response.)

DELEGATE COOPER: Delegate Clark.

(No response.)

DELEGATE COOPER: Delegate Clark.

(No response.)

DELEGATE COOPER: Delegate Croft.

(No response.)

DELEGATE COOPER: Delegate Freeman.

(No response.)

DELEGATE COOPER: Delegate Graham.

(No response.)

DELEGATE COOPER: Delegate Holmes.

DELEGATE HOLMES: Here.

DELEGATE COOPER: Delegate Jackson.

(No response.)

DELEGATE COOPER: Delegate Johnson.

(No response.)

DELEGATE COOPER: Delegate Jones.

(No response.)

DELEGATE COOPER: Delegate Long.

(No response.)

DELEGATE COOPER: Delegate Love.

(No response.)

DELEGATE COOPER: Delegate Jerry Moore.

(No response.)

DELEGATE COOPER: Delegate Talmadge Moore.

(No response.)

DELEGATE COOPER: Delegate Nihikian.

(No response.)

DELEGATE COOPER: Delegate Oulahan.

(No response.)

DELEGATE COOPER: Delegate Robinson.

(No response.)

DELEGATE COOPER: Delegate Rothschild.

(No response.)

DELEGATE COOPER: Delegate Shelton.

(No response.)

DELEGATE COOPER: Delegate Street.

(No response.)

DELEGATE COOPER: Delegate Thomas.

(No response.)

DELEGATE COOPER: Delegate Warren.

(No response.)

DELEGATE COOPER: Mr. Chairman, 24 members present that answered the roll.

DELEGATE BALDWIN: Thank you, Mr. Secretary.

Unless there is some objection from the assembly, the Chair would move that we act on Item 7. I think it's proper and it's in order and then ask for approval or disapproval.

DELEGATE COOPER: Second.

DELEGATE HILDA MASON: May I ask that we at some point put on the record something in regard to the life and death of Robert Grayson McGuire, Jr.?

DELEGATE BALDWIN: Yes.

DELEGATE HILDA MASON: Thank you.

DELEGATE BALDWIN: It has been moved and properly seconded. And what we are asking for now is the approval or disapproval that you have before you.

I have been informed -- the Chair has been informed that there is an uninvited guest on the convention floor. Mr. Secretary, will you identify such a person?

DELEGATE COOPER: Yes, he is Mark Weiss (Phonetic) of the Associated Press who is seated in the back row of the convention floor.

DELEGATE BALDWIN: Mr. Weiss has moved to the press

area. Thank you.

Any other unregistered motion?

DELEGATE SIMMONS: You mean the motion for the minutes, sir?

DELEGATE BALDWIN: No, no, on the approval of the agenda.

DELEGATE SIMMONS: Is the speaker to address the body present and willing in the sequence as indicated by this agenda?

DELEGATE BALDWIN: Mr. Cooper.

DELEGATE COOPER: I have not seen the speakers here for today.

DELEGATE SIMMONS: Then I would respectfully, Mr. Chairman, make one request and that is that the minutes be item number four and that the address be left in terms of when those people arrive; at that juncture the agenda be modified to accept or receive it.

DELEGATE BALDWIN: Point well taken. Mr. Secretary, the minutes will reflect Delegate Simmons' point will appear under new business. We will abide by consensus and place Ms. Simmons' suggestion that item four be the next and we make these as we go along and it will have an order.

DELEGATE CORN: Could you speak up please?

DELEGATE BALDWIN: Delegate Harris.

DELEGATE HARRIS: I think there is one omission on the agenda and that is the report of the Secretary's proposal, which should probably follow agenda item number ten.

DELEGATE FEELY: Repeat.

DELEGATE HARRIS: I said there is an omission on the agenda which is a report of the Secretary of a proposal and it probably should follow Committee Reports, Number 10, according to the rules.

DELEGATE BALDWIN: Would the secretary so indicate?

DELEGATE COOPER: Yes.

DELEGATE BALDWIN: Are there other corrections or other responsible motions on the floor?

DELEGATE SIMMONS: Mr. Chairman, 4.0.0 after the motion, received report from the President. Unless my memory does not serve me too well, I do not recall that we got a report from the President as to the selection of Herbert O. Reid as the General Counsel. I thought we got an announcement because as one delegate I'm interested in what his position will incur with regard to the proposition of having a law school or one of the law school institutes, and Howard in particular, to serve us.

Now obviously for some reason it didn't occur but I think this delegate body has a right to know what the outcome of those discussions were, and how the rationale and selection of Herbert O. Reid occurred, but I think it is a serious misnomer to suggest that the word says "report from the President" when in fact it was an announcement at best, if my memory serves me correctly, and I stand ready to be corrected by other members of the delegates if they have, you know, a more precise memory.

DELEGATE BALDWIN: Delegate Simmons, the President will be here shortly and when we get to his report -- we made a note of these kinds of things -- they will be brought out and we will instruct him to respond to your concern.

DELEGATE SIMMONS: I'm just interested.

DELEGATE BALDWIN: Are you ready for the question? Those in favor say aye.

(A chorus of "ayes".)

DELEGATE BALDWIN: Oppose is nay.

(No response.)

DELEGATE BALDWIN: So the order of the agenda has been approved.

Mr. Secretary, the next item will be the approval of the minutes of our last meeting.

Mr. Blount.

DELEGATE BLOUNT: I move the adoption of the minutes.

DELEGATE SIMMONS: I second that motion with corrections.

DELEGATE BALDWIN: The adoption of the minutes have been approved with the necessary correction.

Those in favor say aye?

(A chorus of "ayes".)

DELEGATE BALDWIN: Oppose is nay.

(No response.)

DELEGATE BALDWIN: The next item on the agenda is announcements. Are there announcements from any of the delegates?

(No response.)

DELEGATE BALDWIN: Having heard none, we move to the next item on the agenda which would be the President's Report.

DELEGATE SIMMONS: Excuse me, Mr. Chairman, I'm sorry for my delayed reaction. For the benefit of the folks who may not have received a copy of the notice of the hearing which the Executive Committee will be conducting on April 5th, I would simply like to make that announcement that it will occur on the 5th -- and this is announcement. That's what you called for, right, Mr. Chairman?

DELEGATE BALDWIN: This is announcements, yes.

DELEGATE SIMMONS: I would like to announce that that hearing will occur April 5th and April 7th at 9:30 to 3:00.

DELEGATE BALDWIN: The next item on the agenda is the Executive Secretary's report. Mrs. Ellington, Executive Secretary?

(No response.)

DELEGATE BALDWIN: While we are waiting for the Executive Secretary, we will proceed with the committee reports. Delegate Johnson, Suffrage. We are doing it in reverse order today, Ms. Johnson.

DELEGATE JOHNSON: My name is Sandra Johnson and I chair the Suffrage Committee. My status report for March 27th is as follows: On March 23rd, 1982 Delegate Rich Bruning presented the first draft reading of the articles on initiative and referendum. Taken from the explanation of the article, I quote: "The basic philosophy behind this draft section of initiative and referendum is that the ultimate depository of authority for making, amending or repealing law rests with the people. At the same time, however, the draft does impose certain restrictions and criteria on the use of these measures to ensure an orderly process

and protect certain constitutional rights and separation of powers", unquote.

At our March 25th meeting David D. Schmidt, editor of The Initiative News Report spoke before the committee and gave a critique of the initiative and referendum draft. Delegate Bruning submitted the second draft on initiative and referendum. Further, there was a first reading by Delegate Graham of the draft on suffrage, elections and apportionment. Delegate Brian Moore submitted a draft on the articles addressing recall and amendment and revision. Arrangements -- mind you these are drafts now; we have not done any voting on the drafts; we are simply reading to try to get consensus on what our ideas would be before we have our public hearing.

Arrangements were made to secure space for our public hearings so that a two-week advanced notice can be given with respective participants. Thus, I move that the Suffrage Committee be allowed to hold a public hearing at the District Building according to the following schedule: Thursday, April 8th, 6:30 to 9:00 p.m., Room 114; Tuesday, April 13th and Thursday, April 15th, 6:30 to 9:00 p.m. in the Council Chambers Room 900.

DELEGATE BALDWIN: Delegate Johnson, that particular

recommendation and motion is not in order really because the Executive Committee has set it up. And this body cannot act on that. The Executive Committee has in fact acted on the schedule on the hearings.

DELEGATE JOHNSON: I thought it was determined at our last meeting or our meeting before last that that has to be brought before the convention.

DELEGATE BALDWIN: To bring for information purposes just as Delegate Simmons made her announcement. But the Executive Committee makes the determination about the schedule of the hearing and it's under the -- you know, if it's done properly, under the President's Report, that information will be given in detail.

DELEGATE JOHNSON: That's when our meetings are.

The Suffrage Committee schedule for March 30th, 1982 through April 22nd, 1982 was transmitted to Delegate Cooper on March 25th, 1982. Memoranda were submitted to Chairpersons Terrell, Blount, Coates and Simmons regarding information needed for their committees.

Mrs. Farmer was asked to coordinate with the chairperson Nihikian or her research assistant on information needed from the Local Government Committee.

I am very proud -- very proud -- of the vast amount

of work and cooperation displayed by the Suffrage Committee members to date. They have worked very hard to get to the point where we are now and I have here draft proposals for all the articles that we are responsible for. We are using this as a basis of discussion prior to public hearings and we will be voting on the measures post public hearing.

DELEGATE BALDWIN: Thank you.

So that you will understand the Chair's ruling regarding the chairmen of the subcommittees to bring to the convention a request for public hearing, Rule 2.10 states "All proposals to hold public hearings shall be filed with the President and made as an agenda item for the convention or the Executive Committee; the President shall be responsible for giving proper notice." So the President has in fact brought to the Executive Committee the request for public hearings and the Executive Committee has so acted.

Are there any questions regarding Delegate Johnson's report?

Mr. Moore.

DELEGATE BRIAN MOORE: I just wanted to know, what was the rule you cited?

DELEGATE BALDWIN: 2.10, the procedure for getting approval for public hearings. As I stated earlier, those have

been worked out. You see, there was a meeting with the chairpersons on Tuesday and they came to the Executive Committee, presented their requests for public hearing and so the action was taken. All that is needed now is to inform the body, as Delegate Simmons did, when your public hearing will be held. Now they will either come from the chairperson or from the President.

Hilda Mason.

DELEGATE HILDA MASON: Mr. Chairman, just so that I can be clear: Are we saying these dates are firm that were reported on just now?

DELEGATE BALDWIN: The President will give in his report -- and I am assuming this and I guess he will -- the hearing dates that have been approved. Now Mrs. Simmons' date was in fact approved at our last meeting. So it was proper for her to give that. Education and the Executive have sent their notices out prior to Tuesday. And notices have gone out publicizing those two meetings and so the Executive Committee did not interfere with those two committees. So when they reported their hearing would be such and such a date, that in fact will be the dates for those.

But the Chairman of the Convention will share with you those dates that have been approved and where there

is no conflict.

DELEGATE HILDA MASON: Mr. Chairman, just one further question: Does that mean the committee will submit their time and place for hearings to the Executive Committee to be approved? Does that mean also that they do not confirm a meeting place, that the Executive Committee takes care of the place?

DELEGATE BALDWIN: That is the rule and the committee chair people are following the rules. The rule states that the request for public hearings will be sent to the President. The President will then in fact make an agenda item at the convention of the Executive Committee.

DELEGATE HILDA MASON: Does the committee lay the groundwork of finding a place and then submitting all of that to the Executive Committee or will the Executive Committee take care of the mechanics of setting up a hearing?

DELEGATE BALDWIN: The announcement --the public notice of the hearing is the responsibility of the President; actually the setting up of the committee's groundwork is the responsibility of the research assistant that is assigned to each committee and those chairpersons that were present at the committee on Tuesday do in fact have that information and concur with that procedure.

So once a hearing has been approved by the Executive Committee, the research aid or assistant for that particular committee will then take over from that point, in other words, serves as the coordinator.

DELEGATE HILDA MASON: Thank you.

DELEGATE BALDWIN: The President is here and I will turn the meeting over to Mr. Cassell.

The next committee is the chairperson of Health, Housing and Social Services, Delegate Paramore.

DELEGATE PARAMORE: In order to bring us up to date the last three sessions have been meetings that we have held with guest speakers who have been giving us quite a bit of wealth of information under the areas of health and so far human resources.

Our next group of speakers will come under the heading of housing and those speakers will be Mr. Bob Moore, Department of Housing and Community Development; Dr. Albert Hopkins, Director of the Anacostia Development Corporation; Mr. Michael Williams, former head of the Association of Tenant Groups. And we welcome all delegates to attend that on March 30th. It will be held here in the auditorium at 6:00 p.m.

After these speaking sessions, we will continue

all of our analysis and a detailed selection of those speaker resources and issues needed for draft.

Do any of my committee members have anything to add to that today?

(No response.)

DELEGATE PARAMORE: All right, thank you.

DELEGATE BALDWIN: Any questions to the Health, Housing and Social Services Committee?

(No response.)

DELEGATE BALDWIN: Having heard none, the next committee report will be Preamble and Rights, Delegate Mason.

DELEGATE CHARLES MASON: The Preamble and Rights Committee has been going forward with its work. As was reported last week, the committee has adopted the preamble and last Saturday has adopted the report to accompany the preamble.

However, the committee, realizing that its public hearings have not been held, decided to defer actually submitting the preamble and its support to the convention in the event that something that arose at the hearing might cause the committee to want to make some change, although we don't anticipate that.

The subcommittee working on -- is diligently working

on the articles for the parts, various sections for the article on rights -- the bill of rights. And we will have a preliminary report at the meeting on Monday, the results of a subcommittee on the name of the state which will, I believe, be meeting Monday.

The research assistant, Susan Dunham, has submitted a study of a summary of the rights of the constitutions of other states which she has been making; on the basis of a study of the present state constitutions, she submitted an interim report this past week and will be completing her report based on all of the states this coming week.

The arrangements for public hearings were discussed and the committee chose two dates and authorized the chairperson to make the proper arrangements at the District Building for the space and to report and instructed the research assistant to report those dates to the convention office. Those dates were the 12th and the 14th. I think one was to be in the afternoon and one in the evening.

DELEGATE BALDWIN: Thank you, Delegate Mason.

DELEGATE HARRIS: Delegate Mason, one question please: You said the meeting on the naming of the state was on a Monday?

DELEGATE CHARLES MASON: No. I said the subcommittee.

DELEGATE HARRIS: What time?

DELEGATE CHARLES MASON: At 3:00 p.m. we have agreed on Mondays.

DELEGATE HARRIS: Is proper notice going to be provided?

DELEGATE BALDWIN: The Preamble and Rights Committee has adopted the preamble to accompany the report and, as you know, those proposals that are adopted by a committee has to have a report with it. So that is one committee that has adopted the preamble. So we have one of our proposals with the necessary report.

Further, a subcommittee was appointed to determine a name. Those of you that have suggested names -- we have about 15 or 20 as of today -- so if you have any suggested names, please get them into Delegate Mason. We are meeting some time Monday morning so that we can report to our committees Monday at 5:30 and we want the names and whether or not we are in a position to submit a recommendation. Delegate Mason and I said to the committee last Wednesday that we will be giving pretty much a progress report as we go along.

Delegate Harris.

DELEGATE HARRIS: I would like to know two things:

number one, what time -- those people who have recommendations for the state name, what time should they be submitted to the committee?

DELEGATE BALDWIN: I think I just announced it. Get it to us any time. Since we won't finalize the name by Monday, Delegate Harris, any time is good. We are just receiving names.

DELEGATE HARRIS: My second question: Will there be another subcommittee that will deal with all of the other -- color, flower, song, state bird and the whole bit?

DELEGATE BALDWIN: That's not part of our -- the constitution in this group hasn't decided that they want to include song and birds and all of that in their constitution. And if and when that happens, the chair would refer that to the proper committee to take care of that. Someone mentioned that last Saturday; this group did not take any action on that, whether or not the constitution shall consist of a song and the flower and whatever.

But if and when that happens, it will follow the usual, necessary and correct procedure in that the President will then take -- first, it will have to come in as a proposal. The President will look at it and if he deems that the Preamble and Rights is the correct committee, he will refer

that to him. If he thinks it should go to legislature, he will refer it to the Legislative. If he thinks it should go to the Judiciary, that is the procedure.

Are there other questions regarding the Preamble and Rights Committee report?

(No response.)

DELEGATE BALDWIN: The next committee is Tax and Finance, Delegate Coates.

DELEGATE COATES: Mr. President and fellow delegates: Here follows the status report concerning the work of the Committee on Finance and Tax. In the past week there were two roundtable sessions conducted -- the one on March 22nd and the other on the 24th -- as scheduled. The research assistant has the assignment, among others, of some arising salient features of both roundtables and making those available generally, not only to the committee but to the convention.

There were three meetings of the committee conducted in the past week and the third level of meetings being those of various subcommittees of the committee, one of which met today prior to the plenary session.

At the present time, the status of the committee's work on its project of developing an article with respect to

Finance and Tax is as follows: The committee has identified those issues involved in municipal finance and tax and the list of issues includes the following: Exemptions, ear-marking, unity in classification, pursuance to the law, value added, referenda, debt ceilings, bonds, deficit spending, line item veto and others.

In the next committee meetings, that is in the next general meeting of the committee, the committee will explore various scenarios with respect to those issues asking itself if an issue of uniformity is incorporated in an article on finance and tax, what is allowed or conversely what is ruled out, so as to arrive at the constitutional implications of such issues.

Also the committee will utilize that list of issues to evaluate proposals submitted to it by the President who has received them from delegates and also will imply a set of criteria for evaluation of the committee's own proposal.

The further work of the committee points toward a hammering out definitive proposals to be submitted to public hearing on April the 12th and April the 14th.

That completes the committee's report.

DELEGATE BALDWIN: The Judiciary Committee.

DELEGATE BLOUNT: The Judiciary Committee is planning to hold more briefings for the committee to get a feel for the different systems in other areas and, of course, our public hearings will depend upon the Executive report.

DELEGATE HARRIS: We will go to the second group of committees beginning with Economic Development followed by Local Government.

DELEGATE CROFT: The Economic Development committee met twice this week, Tuesday and Thursday. We met Thursday and briefly on Thursday we did a review of our roundtables which were very well done and very well attended. Thursday we moved into a meeting in our subcommittees. Essentially, we are at the stage of, one, identifying issues; two, developing ideas around those issues; and three, we are at the stage where we are going to begin drafting which we ourselves can begin to look at them and discuss them.

We have also broken out a series of issue areas. We also plan to have a meeting of the local government's chair because there are some overlapping areas.

At this time, I would like to also say that the Economic Development which has all these various kinds of things to look at it, you are a very innovative committee. And we will have some innovative things to put before you and

some very controversial things to put before you. We have the gut kinds of issues, issues that affect people everyday in life and we are now writing. This Tuesday we will begin discussing things that members have indeed looked at, thought about and written about. And on Thursday we will make some first kinds of choices that we will then send by the rules to the present.

I would like to thank everybody who is a member because you are some innovative folks.

DELEGATE HARRIS: Thank you, Mr. Croft.

(Applause.)

DELEGATE HARRIS: Delegate Nihikian stepped out, so let's go to Education, Delegate Lockridge.

DELEGATE LOCKRIDGE: The Committee on Education has completed assigning adopted concepts to members of the committee for them to begin writing on. We have already begun to draft one of the concepts adopted by the committee and that's the provision of public education.

Suggestions were made by the committee on these concepts and these suggestions will be discussed at the next meeting on education to be held Tuesday, March 30th, at 7:00 p.m.

I would like to share with you the Committee on

Education has again readjusted their meeting time. They will meet on Tuesdays at 7:00 and on Thursdays at 7:00 unless otherwise -- I hope not -- adjusted by the committee.

At our Tuesday meeting at 7:00 the lawyer from the Board of Education will meet with us to discuss federal regulations concerning public education that we must be concerned about, especially those dealing with special education and also to make us aware of the Brown versus the Board of Education decision and any other issues that the lawyers feel that we might address when we are speaking of public education.

That is my report.

DELEGATE HARRIS: Thank you, Mrs. Lockridge.

Mrs. Nihikian, Local Government and Transition.

DELEGATE NIHIKIAN: The Committee on Local Government has completed all the formalized briefings that have been organized by this committee on the issue of Local Government, intergovernmental relations and federal interests and transitions beginning at our very next meeting next Tuesday. We will be beginning a very tight schedule of draft schedule so that there will be drafts of the three sections of the constitution that we are responsible for. There will be drafts available prior to our public hearings.

Our public hearings are scheduled for April 13th from 10:00 a.m. to 2:00 p.m. and from 6:30 to 9:30 -- or 6:00 to 9:00; at our April 15th from 6:00 to 9:00. And although the report that we just handed out is going to be discussed on the agenda, the report from the Executive Committee left out one of our hearings.

Finally, I would note to the convention delegates that we have had two changes in times for meetings. On April 6th the Committee on Local Government will be an all day session, from 9:30 a.m. to 5:00 p.m. and on Thursday, April 8th, due to a religious holiday, that evening we have scheduled our meetings from 8:30 a.m. to 1:00 p.m., on Thursday, April 8th.

Thank you.

DELEGATE HARRIS: The next committee will be Legislative, Delegate Terrell followed by Executive, Ms. Simmons.

DELEGATE TERRELL: Madame Vice President, the report from the Legislature Committee from the period March 23rd to March 27th, 1982 is a brief one. Largely, we are continuing to labor over issues as far as the articles are concerned that we are drafting. We continue to discuss the issue of kinds of legislatures and agreed on March 22nd to

commence the drafting process. So we are in the process of drafting at this point. On March 24th we formally begin that process and also hear Hayward Sanders discuss the legislative process.

That concludes my report.

DELEGATE HARRIS: Thank you, Delegate Terrell.

Delegate Simmons.

DELEGATE MAGUIRE: I think everybody here knows that the Executive Branch Committee hearings -- they are going to be the first hearings that we have here in Convention Hall.

The Executive Branch Committee has not begun any draft or made any decision that we do not want to do that until after our public hearings at which we have set up two working sessions where we hope to start working on those drafts and those sessions will be April 12th and April 15th from 9:00 in the morning until 5:00 in the afternoon.

April 28th is our target date to have our draft ready for the convention.

Up until this point we have been working with our research assistant, gathering information, and also along with Neal Henderson (Phonetic) and the pro bono people we have. If anybody would like sets of our minutes, they are

available in Room 919.

DELEGATE HARRIS: Delegate Corn, Style and Drafting.

DELEGATE CORN: The schedule for the next week is Monday, the 29th, from 4:00 to 6:00; Tuesday, the 30th, from 4:00 to 6:30; Thursday, the first, from 1:00 to 6:00 p.m. with a one-hour lunch break; and Friday, the second, from 1:30 to 6:00 p.m. with a half hour break.

THE CHAIRMAN: Would the Chairman of the Rules and Calendar Committee care to make a report?

MR. ROBINSON: The Rules and Calendar Committee met once on Friday afternoon. We had problems with assembling a quorum. Our problems were due to the fact that there was more than one roster that was circulated. We were informed by the secretary who attended our meeting on Friday that there have been four persons added to the Rules Committee. We were unable to maintain a quorum; hence, we were unable to act on any of the four proposals or recommendations for changes to the rules that have been submitted up to today's date.

There are some questions, very substantive questions that confront us and I would like to share with the body one of the very important ones and that is whether or not Section 3.2 of our rules, Chapter III, Section 3.2, apply to the submission of recommendations to the rules, or if, in fact,

Chapter VII, Rule 7.1 is concerned solely with the submission of recommendations to the rules.

I would also like to ask the Chair to share with me the conclusions made or the additions made to the Rules Committee at a meeting as I was informed by the Secretary last week for additional persons to the Rules Committee and at that time we could have the official list of all persons who are on the Rules Committee. In addition, there have been some persons or a person who has submitted his resignation from the Committee. And we are finally encouraging all persons who cannot find the time on Friday evenings -- that has been the day that we have set as our official time, Friday evenings, 5:00 p.m. -- first, if you can't find the time to attend, we ask you again to please submit your resignation forthwith to the Secretary.

DELEGATE COOPER: Do you have the list of the four people that were added to the Executive Committee session?

DELEGATE ROBINSON: I'm asking the Chair to please make it known to the convention at this time who those four persons are.

THE CHAIRMAN: Would you mention those names?

DELEGATE ROBINSON: Delegate Barnes, Delegate Jordan, Delegate Coates and Delegate Paramore.

THE CHAIRMAN: Yes. All those people just mentioned here: Barnes --

DELEGATE COATES: I'm willing to serve.

THE CHAIRMAN: Yes. One of our major problems is getting a quorum, right?

DELEGATE ROBINSON: That is correct.

THE CHAIRMAN: On this committee as well as other committees. Are those four individuals prepared now for the duration of the convention to attend the meeting on Fridays --

DELEGATE ROBINSON: 5:00 p.m., sir.

THE CHAIRMAN: I'm asking, would you set any limit on that now?

DELEGATE ROBINSON: The problem is that people are declaring that they need their Fridays. That's the only day that the other committees are not meeting and that they need their Fridays. There is no other time that we can set a meeting of the Rules and Calendar Committee that would not be in conflict with other committee meetings and the inability to get a quorum has caused us not to be able to work on the matters that have been presented to us. And maybe if you are not going to attend, then please resign. I would sooner have a committee of six persons committed to working with the Rules, to doing the things that the convention needs than to have

15 people of which only six will show on Friday evenings.

THE CHAIRMAN: Let me get an answer to that question now. Are the four people who have been named to that committee prepared to meet on Friday at 5:00 p.m.

DELEGATE COATES: Yes, I will be present.

THE CHAIRMAN: Delegate Barnes.

DELEGATE BARNES: I can't answer that now.

THE CHAIRMAN: Delegate Paramore.

DELEGATE PARAMORE: I was already on it I think a long time ago.

DELEGATE ROBINSON: May I please say this: I have just been informed by the Second Vice President that Styling and Drafting is usually finished with their business by 2:30 p.m. on Fridays. I am amenable to setting the Rules committee meetings at a time more convenient if it's going to be conducive to increase the attendance.

Yes, Delegate Marcus.

DELEGATE MARCUS: I appreciate what you are trying to do, Mr. Robinson, but isn't this a discussion which is more appropriate for committee meetings as opposed to a plenary session? We have plenty of business to attend to.

DELEGATE ROBINSON: I don't think so, sir, in the light of the fact that we have not been able to convince those

persons who have volunteered to appear. It was my hope that with the input of the chair that they would make certain decisions forthwith, either resign or openly declare that -- their intentions to attend the meetings.

THE CHAIRMAN: Let's see if in the next minute we can resolve some of this. Three of the people who have been named to the committee say that they can make meetings on Friday at 5:00. One says he is not sure. Do you want that acceptance and let us know in the next couple of days?

DELEGATE BARNES: I can let you know within that short period of time.

THE CHAIRMAN: Like Monday?

DELEGATE BARNES: Yes.

THE CHAIRMAN: Is there anybody on that committee who knows that he or she cannot make those meetings and would like now to so indicate or step off and we will make arrangements to make a replacement? Is there anybody who can answer that question?

Mr. Blount.

DELEGATE BLOUNT: I would like to resign from the committee.

DELEGATE CORN: As long as we are asking, could you ask if some of the people would like to resign from my

committee?

THE CHAIRMAN: Anybody else?

DELEGATE MAGUIRE: I would like to resign.

THE CHAIRMAN: Mr. Love.

DELEGATE LOVE: Mr. Chair, it's a little difficult--

THE CHAIRMAN: I want a response to that question.

DELEGATE LOVE: I'm sorry, this is a point of order.

You are appointing people to a committee when it is in violation of our rules. And you are appointing to the Rules Committee which is a little strange. Therefore, I would like to move that we suspend the rules in order that these four people be allowed to join the Rules Committee.

(Whereupon, there was a second to that motion.)

THE CHAIRMAN: I rule that motion out of order.

DELEGATE KAMENY: You are violating the rules when you make these appointments.

DELEGATE SCHRAG: Point of parliamentary inquiry.

THE CHAIRMAN: Let me respectfully ask you to hold that. This is a plea, right, to get us out of here in a hurry. We are not trying to be technically efficient. We're trying to get over this issue. I understand you have a right to have any kind of motion at any time. This is a request. If you don't want to honor the request, then don't honor it.

DELEGATE SCHRAG: Point of parliamentary inquiry.

THE CHAIRMAN: Yes.

DELEGATE SCHRAG: I would like to know the basis for the chair's ruling that the motion to suspend the rules to allow these people to be on the committee -- what is the basis for that rule?

THE CHAIRMAN: The basis is it's necessary. The chair has the right to make these appointments; the chair does not have to suspend the rules.

DELEGATE KAMENY: No, the chair does not have that right.

DELEGATE JORDAN: Mr. Chair --

(Simultaneous discussion.)

DELEGATE ROBINSON: As I understand it at this point -- as I understand it at this moment the Rules Committee now has a composition of 12 persons.

THE CHAIRMAN: Delegate Robinson, it appears that the opposition to this is correct; in other words, we can't settle this here. This is something to do in the Executive Committee. What we are trying to do is to make sure the people who belong to that could actually meet. It's getting rather late.

Inasmuch as it is our opinion that those people

who have been added or people who were asked to be included were not, apparently that is not the case. Therefore, I would rule that we will not deal with this issue here; it's not something we can settle on the floor anyway.

Delegate Long.

DELEGATE LONG: The rules of this convention say that people on that committee -- those people who have signed that sheet of paper within seven days of the announcement of the committee's formation, the Secretary of this convention verify signatures on the list. That list then controls, so that I am appealing to the ruling of the chair and wish the matter to proceed as specified in the rules covering an appeal.

DELEGATE COOPER: Mr. President, as I recall, there was a precedent set with regard to this same rule and, Mr. President, I think that you are perfectly within your rights to rule as you have ruled and I think that the same people --

DELEGATE KAMENY: The Secretary is not the parliamentarian; point of order.

(Simultaneous discussion.)

DELEGATE COOPER: The very same persons who are now objecting to this did not object beforehand. Hence, they are out of order.

(Simultaneous discussion.)

THE CHAIRMAN: Delegate Long.

DELEGATE LONG: I have a point of appeal pending. The rules 5.2 require that when the ruling of the chair is appealed that the following things happen: The President makes a statement as for the reasoning behind his ruling. The person appealing that ruling rebuts; the chair closes and we bring it to a vote.

DELEGATE PARAMORE: I'll second this.

THE CHAIRMAN: This does not require a second. I'm sorry, I stand corrected.

Is there discussion?

DELEGATE CORN: I would like to speak to what --

DELEGATE LONG: There is no discussion. If you will consult the second page -- that is the first page of the rule 5.2 under appeal, the procedure is outlined.

THE CHAIRMAN: Thank you.

DELEGATE CORN: Could I make a point of order?

(Simultaneous discussion.)

DELEGATE CORN: Secretary Cooper says that there was a precedent for this. He refers, of course, to --

DELEGATE KAMENY: That's not a point; that's debate.

THE CHAIRMAN: (Bringing the convention to order.)

We have been talking about the rules. The rules will allow one individual to rule out of order and there is a way of suggesting if you think something is out of order?

DELEGATE CORN: May I finish, Mr. President?

Secretary Cooper claims that there is a precedent for this. That is simply not the case. He refers, of course, to the case --

VOICE: That's not a point of order.

DELEGATE KAMENY: That's not a point of order.

DELEGATE BLOUNT: Mr. Chairman, why don't you take a vote.

DELEGATE CORN: Mr. President, it becomes impossible to speak when everybody else is screaming.

DELEGATE BALDWIN: Will you please state to this assembly why you ruled and allow Mr. Long to rebut and then we can vote.

Three things must happen: You state what you have done already for the benefit of those who did not hear; state, Mr. President, why you ruled and then allow Mr. Long the chance to rebut and then if anyone raises his hand and asks questions, put any kind of parliamentary procedure, that's the only thing that can and should happen.

THE CHAIRMAN: That's a suggestion. Now we start

that process. Could we have an agreement that we not have any interruptions, points of personal privilege, points of order and then we will move along.

The Chair ruled that inasmuch as each of the individuals who have been added to that committee have individually expressed the desire to serve on that committee prior to the seven-day period after the President announced that the first meeting would be held. Some were not appointed to that committee. Inasmuch as those persons have indicated and expressed a desire to serve -- inasmuch as those people who were appointed to the committee were not able to meet in sufficient numbers to have a quorum, that he was appointing those people who have originally expressed the desire to join that committee. That is the reason that the President ruled it out of order. Persons who oppose it, state their positions.

DELEGATE LONG: The rule reads -- Section 2.3, Part (b) of the rules covering the committees. Section Part (b) of that rule covers operating committees and it reads as follows: "Delegates may elect to serve on one of the two operating committees by notifying the President of the convention not more than seven days after the President announces the convening of the first meeting of the committee in question,

provided they are among the first twenty to apply.

First, the President does not then have the power of appointment. It is an automatic thing. If you notify the President, you are a member of the committee unless you happen to be the 21st, et cetera, member to do that notification. The method by which the President makes known to this assembly that notice could be made to him was on a sign-up sheet which was present at one of the meetings we held at the Public Service Commission. I was the first person to sign that sheet. My name was at the top.

The sheet still contains only a certain number of names. Those names were verified by the Secretary of this convention two or three days ago. That number of persons then constitutes the duly recognized and officially constituted members of the Style and Drafting Committee -- pardon me, Rules and Calendar Committee.

So a delayed recognition of the request I feel is completely out of order. Our problem has been that we have been unable to get a quorum and that to try and achieve a quorum by appointing even more people to the committee is going to exacerbate the problem even more. I have spent now a total of seven hours in the Rules and Calendar Committee meetings and a total of 45 minutes of that time there has been a quorum.

The precedent set by the President of the convention and by passing out the sign-up sheet determined the membership of the committee. A verbal request not executed by a signature I maintain is invalid in determining that membership and I am appealing the ruling of the President.

THE CHAIRMAN: I think your points are well taken. I think you made them adequately. Thank you. I call for a question.

DELEGATE JORDAN: I would like to ask for a roll call; in order for this motion to pass, it needs two-thirds. I'm asking for a roll call vote on Section 4.1 of our rules.

THE CHAIRMAN: The vote is to overturn the appeal of the rules by the chair.

DELEGATE JORDAN: I need four other delegates to support me in this vote, making the request for a roll call.

(Whereupon, there were voices of support.)

THE CHAIRMAN: There having been four supporters for that, the Secretary will now take the roll. The question is --

DELEGATE BLOUNT: I think the question should be stated: Shall the decision of the chair be sustained, so that everybody knows, you know, on the floor the support for the

chair. If you vote yes, you are in support of the chair. I think it should be explained very carefully.

THE CHAIRMAN: The chair will be guided by that suggestion. Shall the chair be supported? Yes or no.

DELEGATE HILDA MASON: What are we voting on?

DELEGATE COOPER: The President rule on Mr. Love that we suspend the rules out of order. And Delegate Long appealed that ruling. So what we are voting on is to either support or to suppress the ruling of the chair and ruling it out of order.

THE CHAIRMAN: The chair will ask the First Vice President to act as the parliamentarian. I am now calling for the vote.

DELEGATE BRIAN MOORE: Mr. Chair, there is some confusion on the part of some of the delegate to understand the voting.

DELEGATE BALDWIN: The chair has asked that I serve as parliamentarian and the following will be carried out in this order: If there are any questions regarding the motion -- and Delegate Mason raised a question, and her question was: If you vote to sustain or approve the position of the chair, does that mean a yes vote to allow the President to in fact appoint and ask the parliamentarian to have the right to

interpretation. If you vote no, you are supporting Mr. Love. There will be no other discussion. Mr. President, you may move right into the roll call. All of our rules are being adhered to and the next thing is for the Secretary to call the roll call.

The only think you should allow is someone says well I still don't understand. We are voting on one thing: Do you agree not to support the chair? That's what Mr. Blount asked about sustaining the chair. If you vote yes, you are sustaining the chair; if you vote no, you are opposing the chair's decision.

Mr. Secretary, would you proceed with the roll call?

DELEGATE COOPER: Delegate Baldwin.

DELEGATE BALDWIN: Sustained.

DELEGATE COOPER: Delegate Barnes.

DELEGATE BARNES: Pass.

(Simultaneous discussion.)

THE CHAIRMAN: You are out of order.

DELEGATE COOPER: Delegate Blount.

DELEGATE BLOUNT: Yes.

DELEGATE COOPER: Delegate Bruning.

DELEGATE BRUNING: No.

DELEGATE COOPER: Delegate Cassell.

DELEGATE CASSELL: Yes.

DELEGATE COOPER: Delegate Clark.

DELEGATE CORN: Excuse me, under the rules, the President cannot vote until the very end.

DELEGATE BALDWIN: You're out of order. We are having a roll call please.

DELEGATE COOPER: Delegate Coates.

DELEGATE COATES: Yes.

DELEGATE COOPER: Delegate Cooper. Yes.

Delegate Corn.

DELEGATE CORN: Yes.

DELEGATE COOPER: Delegate Croft.

(No response.)

DELEGATE COOPER: Delegate Eichhorn.

DELEGATE EICHHORN: Yes.

DELEGATE COOPER: Delegate Feely.

DELEGATE FEELY: Yes.

DELEGATE COOPER: Delegate Freeman.

(No response.)

DELEGATE COOPER: Delegate Garner.

(No response.)

DELEGATE COOPER: Delegate Graham.

(No response.)

DELEGATE COOPER: Delegate Harris.

DELEGATE HARRIS: Yes.

DELEGATE COOPER: Delegate Holmes.

DELEGATE HOLMES: I abstain.

DELEGATE COOPER: Delegate Jackson.

(No response.)

DELEGATE COOPER: Delegate Johnson.

DELEGATE JOHNSON: Abstain.

DELEGATE COOPER: Delegate Jones.

DELEGATE JONES: Yes.

DELEGATE COOPER: Delegate Jordan.

DELEGATE JORDAN: Yes.

DELEGATE COOPER: Delegate Kameny.

DELEGATE KAMENY: No.

DELEGATE COOPER: Delegate Lockridge.

DELEGATE LOCKRIDGE: Yes.

DELEGATE COOPER: Delegate Long.

DELEGATE LONG: No.

DELEGATE COOPER: Delegate Love.

DELEGATE LOVE: No.

DELEGATE COOPER: Delegate Maguire.

DELEGATE MAGUIRE: Yes.

DELEGATE COOPER: Delegate Marcus.

DELEGATE MARCUS: No.

DELEGATE COOPER: Delegate Charles Mason.

DELEGATE CHARLES MASON: Present; abstain.

DELEGATE COOPER: Delegate Hilda Mason.

DELEGATE HILDA MASON: Present.

DELEGATE COOPER: Delegate Brian Moore.

DELEGATE BRIAN MOORE: Abstain.

DELEGATE COOPER: Delegate Jerry Moore.

(No response.)

DELEGATE COOPER: Delegate Talmadge Moore.

DELEGATE TALMADGE MOORE: Yes.

DELEGATE COOPER: Delegate Nihikian.

DELEGATE NIIHIKIAN: Present.

DELEGATE COOPER: Delegate Nixon.

(No response.)

DELEGATE COOPER: Delegate Oulahan.

(No response.)

DELEGATE COOPER: Delegate Paramore.

DELEGATE PARAMORE: Yes.

DELEGATE COOPER: Delegate Robinson.

DELEGATE ROBINSON: Yes.

DELEGATE COOPER: Delegate Rothschild.

(No response.)

DELEGATE COOPER: Delegate Schrag.

DELEGATE SCHRAG: No.

DELEGATE COOPER: Delegate Shelton.

(No response.)

DELEGATE COOPER: Delegate Simmons.

(No response.)

DELEGATE COOPER: Delegate Street.

(No response.)

DELEGATE COOPER: Delegate Terrell.

DELEGATE TERRELL: Abstain.

DELEGATE COOPER: Delegate Thomas.

DELEGATE THOMAS: Yes.

DELEGATE COOPER: Delegate Warren.

(No response.)

DELEGATE COOPER: Delegate Barnes.

DELEGATE BARNES: Yes.

THE CHAIRMAN: Would you call the President's name again?

DELEGATE COOPER: Delegate Cassell.

DELEGATE CASSELL: Yes.

DELEGATE COOPER: Mr. President, there are 19 members in favor of sustaining the chair and six against and four members abstaining.

THE CHAIRMAN: The chair has been sustained.

Delegate Robinson.

DELEGATE ROBINSON: That concludes my report. Thank you very much.

THE CHAIRMAN: Delegate Long.

DELEGATE LONG: I have a point of order. 4.1 of our rules defines what a vote is and the final sentence in 4.1 says: "A proper vote shall be yes or its equivalent no or its equivalent abstain." Are the rules covering the sustaining of the chair requiring two-thirds vote of those present in voting. Twenty-nine people voted; 19 of those sustained the chair; six voted no; four voted abstain. Two-thirds of the 29 is not 19. It would require 20 votes to sustain the chair.

DELEGATE BLOUNT: It requires two-thirds to overturn the chair.

(Simultaneous discussion.)

THE CHAIRMAN: (Bringing the convention to order.)

The chair was persuaded that Delegate Long was simply inattentive.

Mr. Vice President.

DELEGATE BALDWIN: That concludes my committee reports, Mr. Chairman.

THE CHAIRMAN: We will now come to the President's Report.

DELEGATE JORDAN: I'm afraid that there is a report from the ad hoc committee on Statehood Commission which would come at this time on the agenda. We would like to have a chance to make our report, Mr. Chairman.

THE CHAIRMAN: Delegate Jordan, I understand that the agenda has been approved. That is not on the agenda nor has it come before the Executive Committee. In other words, none of us had an opportunity to discuss that. I would ask that you refer that to the Executive Committee.

DELEGATE JORDAN: Mr. Chair, if I can, we were charged with the task of a list of two things on the agenda. The agenda was approved but it doesn't list specific committees. It just says "committees".

I notified the First Vice President of our desire to have us come before. I understand it's controversial. I understand that some people had some discussion on it, but the delay doesn't help us. And some time we are going to have to deal with it and it still has to be brought back here. It's a committee report. It should be treated as other committee reports and I don't see the distinction between them.

THE CHAIRMAN: Delegate Jordan, that is an ad hoc committee and I appointed the committee and I appointed you as the chair for the purpose of making recommendations to be brought to the convention. It was my intent that we have some idea to know where it was.

Okay. I would prefer to have an opportunity to review that and then make us a recommendation which at least is, you know, knowledge of that committee.

DELEGATE KAMENY: Point of order.

Delegate Jordan's report can certainly, I would think, properly be brought up under item 12 on the agenda, new business, and probably should be done there.

THE CHAIRMAN: Delegate Jordan might make that recommendation, but I have made my ruling there.

Delegate Thomas.

DELEGATE THOMAS: Mr. Chairman, I would like to ask for a point of order. And I would like to say before Delegate Jordan's report is accepted by the Executive Committee, that I wish there would be some consultant of laws before people are appointed to this committee from our wards.

(Simultaneous discussion.)

THE CHAIRMAN: We will now get to item number 10(a) on the amended agenda, as amended by the convention and

that is a report by the Secretary of the convention.

Delegate Moore.

DELEGATE BRIAN MOORE: Yes, Mr. President, on the previous question before the body regarding your decision to appoint four members to the Rules Committee, according to the records those four individuals are already on that committee.

THE CHAIRMAN: I don't know what purpose it serves, you know. They are on the committee now, right? What do you want now?

DELEGATE BRIAN MOORE: They are not replacing any vacancies, that's my point. That's what I am saying.

DELEGATE COOPER: They were added on March the 25th.

DELEGATE BALDWIN: Since the chair has appointed me as the parliamentarian, in response to your question the body sustained, supported the chair. Delegate Mason asked specifically what did that include. It would include allowing the chair to appoint. So your question is absolutely out of order. It is sustained and allowing him to do that. So if he has already appointed people, how can you overturn it, unless there is a motion to reconsider that kind of thing. So I don't see any need to go --

THE CHAIRMAN: If you don't want us to change anything -- is this a technicality?

DELEGATE BRIAN MOORE: Your action was to help the committee have a quorum.

THE CHAIRMAN: What is the purpose of your statement?

DELEGATE BRIAN MOORE: My purpose is that if we haven't changed the composition of the committee, what's the guarantee that they are going to arrive at a quorum next week?

THE CHAIRMAN: We spoke to each one of those persons and each one of those persons indicated that they are prepared as of today to be there at 5:00.

Mr. Secretary, would you make the report.

DELEGATE COOPER: Yes, sir.

This is the report of the Secretary for the week of March 22nd and March 27th, 1982. To date there have been no official proposals received from any committee of this convention or articles to the constitution. To date there have been three proposals from delegates -- to date there have been three proposals for articles received from delegates and those articles are March 22nd, Proposal Number 1-0001, entitled "Right to Life", was received and transmitted by the President to the Preamble and Rights Committee.

Also on March 22nd, 1982 Proposal Number 1-0002 was received, entitled "Right to Self Defense" and transmitted by the President to the Preamble and Rights Committee.

On March the 25th Delegate Proposal Number 1-0003 was received by the President; that proposal is entitled "Size of State Legislature" and it was transmitted by the President to the Committee on the Legislature.

To date there are no proposals pending for a third reading today. There are no proposals pending for a second reading today. There are no proposals pending for a first reading today.

During the week of March 22nd there was one proposed amendment to the rules received. That proposed amendment came from Delegate Schrag and it included two amendments, one to Section 4.1 on voting, the other one on Section 8.3 concerning notification for meetings. There have been no recommendations made on any proposed amendments to the rules by the Rules and Calendar Committee.

To date there are two proposed amendments in official circulation. Those amendments are: the amendment of Delegate Cooper which was transmitted on the 16th of March; those amendments affect Rules 2.4 and 2.5, as well as the amendment by Delegate Schrag that affect Rule 4.1 and

8.3.

With regard to the audit of the records that are in progress, I would like to read you an updated report. The audit of records which is still in progress is scheduled for completion during the week of March 29th, 1982. The audits scheduled for next week will include committee minutes, committee attendance and committee reports. Upon completion of the audit, a full report will be made available.

The last point is that the Office of the Secretary is now engaging in identifying and will propose some immediate conference committees to work out necessary articles in the constitution.

That concludes the report.

DELEGATE MARCUS: I just have a question. Mr. Cooper, I didn't hear to what committees delegates submitted Proposals 1-0001 and 1-0002 have been transmitted to.

DELEGATE COOPER: Well, as stated in the report, those two proposals were transmitted to the Committee on Preamble and Rights.

DELEGATE MARCUS: Thank you very much.

DELEGATE COOPER: You're quite welcome.

DELEGATE TALMADGE MOORE: Delegate Cooper?

DELEGATE COOPER: Yes, sir.

DELEGATE TALMADGE MOORE: Who audits records? You said you were going to have an audit. Who does that?

DELEGATE COOPER: The audit is in progress and I am doing that. If you will look in your rules, that is one of my jobs to supervise the maintenance of records and that is just one of the functions to help me facilitate that matter.

THE CHAIRMAN: Okay. We will go now to item number eight, the President's Report. The first item is proposed hearings.

DELEGATE CORN: The proposed rule changes that Delegate Cooper brought up that have been brought before not just the Rules and Calendar Committee but it has actually been distributed to every delegate. Are they not under the rules allowed to be voted on here and now?

DELEGATE COOPER: No. There is only one proposal that has been circulated in the efficient fashion that could possibly be addressed today and that would be the Cooper proposal of the 16th which was transmitted to the chair of the committee, posted by the appropriate officer of the committee and circulated to all delegates by way of convention mail, at least 48 hours, two calendar days prior to committee action being taken.

DELEGATE CORN: Can we not then according to the rules vote on those?

DELEGATE COOPER: Yes, we can, if it's brought up before the body.

DELEGATE CORN: How do you bring it before the body?

DELEGATE COOPER: By way of a formal motion.

DELEGATE SCHRAG: You mentioned that Delegate Schrag had also filed rules and those rules, amendments -- those were not mentioned in your statement just now but they have been submitted to the chair of the committees, circulated to all delegates and posted by Secretary Cooper --

DELEGATE COOPER: Were they circulated to all delegates --

DELEGATE SCHRAG: Yes, they were circulated to all delegates last Monday.

DELEGATE COOPER: I stand corrected. I had no way of knowing this. I would appreciate it in the future if they are circulated that I be informed so that I can include that in my report.

DELEGATE CORN: Therefore, Mr. Chair, I would move that the three proposed amendments to the rules be dealt with here and now by the floor, by the convention, especially

since the Styling and Drafting Committee is still in the process of drafting those rules.

THE CHAIRMAN: We will put that under new business. Thank you.

Proposed hearing schedule: Each of you has -- or does everybody have a copy -- this blank copy of the hearing schedule yet to be filled in?

Now as it turns out there are ten substantive committees and each of those committees has indicated that they would like to have at least two hearings each. Since we have ten days between April the 5th and April the 15th, then we can't possibly have each of those committees having two hearings without having more days. If each committee had one hearing, then there are ten days for the ten committees.

Therefore, this tentative schedule that you have here have listed the hearings requested as nearly close to the dates requested by the hearings and has tried to provide no more than two hearings on one day.

You will notice that the Executive Committee has requested meeting on the 5th from 9:30 to 6:00 at Convention Hall. The Preamble and Bill of Rights Committee did not request that day, but in order to keep no more than two hearings per day, I suggested 6:30 p.m. at the City Council Chambers.

CCC means the City Council Chambers. And that applies throughout. We don't have any multiplicity of conflicts of time to have them on the same dates. Since some of them are conflicts of time, they could be a different location, one going on here and one going on elsewhere at the same time. One might take place at Convention Hall, one at the City Council Chambers.

So I would say this: We have thought originally or assumed originally that each committee would have one all-day hearing. If you recall the original schedule that we pointed out had your meeting there from 9:00 until 6:00 and there was one day for each committee. If we adhere to that kind of schedule that committee had one day, then we could simply line them up and each would have one of those ten days. If each committee must have at least two or some are having three hearings, then there would have to be some doubling up and this is a proposal for that kind of doubling up, trying to keep no more than two committee hearings in any one day.

The first hand I saw was Marcus, Kameny, Moore, Blount, Johnson and Nihikian.

DELEGATE MARCUS: Mr. President, I appreciate the Executive Committee's attempt to schedule hearings on days

closest to the days requested by the committees. However, the Committee on Preamble and Rights originally requested our hearings be held on the 12th and 14th of April and we have the schedule for the 5th and 7th of April. I am acting as chair of the subcommittee which is doing the bulk of the substantive work now on the Committee on Preamble and Rights and it is frankly impossible for the Committee on Preamble and Rights to be prepared for hearings on the 5th of April.

I believe the First Vice President, Mr. Baldwin, can confirm that.

THE CHAIRMAN: You understand the 12th, the 14th and the 15th are very popular dates. There are four committees that want those dates. We couldn't possibly have four committee hearings on the same date.

DELEGATE MARCUS: There is a difference, Mr. President, between moving us a day or so or moving us an entire week especially when our committee will in no way be prepared to go into real hearings until the 7th.

THE CHAIRMAN: Okay, thank you. I will note that.

DELEGATE MARCUS: I hope you will take action on it besides noting it.

THE CHAIRMAN: I hope it will be favorable action; it may not be.

Delegate Kameny.

DELEGATE KAMENY: Yes. As a member of the same committee, besides concurring with what Delegate Marcus said, I know additionally that our committee gave very careful consideration to a request for time. We wanted one hearing during the daytime and one during the evening so that different portions of the community who have different time constraints would all be able to testify. You've given us two hearings in exactly the same time which completely obviates our concern in scheduling our hearing.

THE CHAIRMAN: Delegate Kameny, I see no problem in changing the time. It makes no difference as long as we don't have any conflicts with other committees at that particular time.

Preamble and Rights, all we have are four hours each day.

DELEGATE KAMENY: We have requested one in the afternoon and one in the evening. I forget which day is which now.

THE CHAIRMAN: I'm only telling you what was reported in the Executive Committee was April 12th and 14th, four hours each day.

DELEGATE BALDWIN: Mr. President, I too am a member

of the Preamble and Rights Committee and we just want to go on record, as other members have said, we will not be able to hold a public hearing on the date that you have given us. It's just impossible for those dates.

THE CHAIRMAN: Okay. Now let me ask this: Most committees have asked for their time that second week. Somebody is going to have to meet the first week. Are there any committees that cannot possibly meet during the first week?

(Simultaneous discussion.)

THE CHAIRMAN: Let me have the chair of each committee that cannot possibly meet during the first week.

DELEGATE BALDWIN: The Chair is dealing with Preamble and Rights and the Chairman of Preamble and Rights is standing. And, therefore, the Chairman will recognize Delegate Mason and then Delegate Johnson.

DELEGATE CHARLES MASON: The Preamble and Rights Committee considered one other factor that hasn't yet been mentioned and that is that the second week, the week beginning on the 12th, is the week when the Council is in recess. So there is no conflict with any hearings or meetings of the Council or any of its committees. And it would be highly appropriate that the larger proportion of our hearings be held during that week than during the first week.